

Report Date: November 8, 2010

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

NOV 08 2010

**Petition for Warrant or Summons for Offender Under Supervision**JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

Name of Offender: Kevin P. Curtis

Case Number: 2:01CR00031-001

Address of Offender:

Spokane, WA 99217

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: 08/03/2001

Original Offense: Felon in Possession of Firearm, 18 U.S.C. §§ 922(g) and 924; Felon in Possession of Ammunition, 18 U.S.C. §§ 922(g) and 924; Interstate Transportation of a Stolen Firearm, 18 U.S.C. §§ 922(j) and 924; Possession of a Stolen Firearm, 18 U.S.C. §§ 922(j) and 924

Original Sentence: Prison - 92 Months; TSR - 36 Months      Type of Supervision: Supervised Release

Asst. U.S. Attorney: U.S. Attorney's Office

Date Supervision Commenced: 08/05/2010

Defense Attorney: Federal Defenders

Date Supervision Expires: 02/04/2012

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**PETITIONING THE COURT****To issue a warrant.**

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number      Nature of Noncompliance

- 1      **Standard Condition # 2:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

**Supporting Evidence:** Kevin Curtis violated his supervised release in Spokane, Washington, on November 2, 2010, by failing to submit a written monthly report by the close of business on the first Tuesday of the month. On August 5, 2010, all standard and special conditions of supervision were reviewed with the offender. At that time, Kevin Curtis acknowledged the expectations and requirements relative to monthly reporting.

- 2      **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

**Supporting Evidence:** Kevin Curtis violated his supervised release in Spokane, Washington, on or about August 19, 2010, by attempting to shoplift a Gillette razor from the Rite Aid located at 5520 North Division, Spokane, Washington. On November 4, 2010, the undersigned officer contacted Wayne Bullock, lead agent at the above-referenced Rite Aid store. He confirmed the offender was contacted after attempting to shoplift the Gillette razor

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on the date noted. Consequently, the offender was trespassed from the Rite Aid location indefinitely.

- 3      **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

**Supporting Evidence:** Kevin Curtis violated his supervised release in Spokane, Washington, on or about October 1, 2010, by operating a motor vehicle without a valid operator's license and insurance.

According to criminal records information, Kevin Curtis was contacted by law enforcement as he was operating a vehicle with a defective windshield and failed to properly signal as required.

On September 23, 2010, Kevin Curtis reported to the United States Probation Office accompanied by his girlfriend, Dawn Fitzgerald. At that time, Mr. Curtis self-reported contact with law enforcement due to a traffic infraction after willfully operating a motor vehicle. According to incident report #100300762, issued by a Spokane police officer, the offender was contacted after operating a vehicle with a defective windshield, and without a valid operator's license or insurance. The undersigned officer verbally reprimanded the offender and directed him to cease and desist operating any motorized vehicle prior to obtaining a valid driver's license. As noted, Kevin Curtis disregarded the undersigned officer's directive and again operated a vehicle on or about October 1, 2010.

- 4      **Standard Condition # 11:** The defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.

**Supporting Evidence:** Kevin Curtis violated his supervised release in Spokane, Washington, by failing to notify the undersigned officer of law enforcement contact within 72 hours of being contacted and/or questioned by police. Kevin Curtis failed to notify the undersigned officer after being contacted for the above-noted traffic infraction on October 1, 2010. He also failed to notify the undersigned officer after being contacted by a Rite Aid Loss Prevention agent on August 19, 2010.

- 5      **Special Condition # 17:** You shall complete a mental health evaluation and follow any treatment recommendations, including taking prescribed medications, as recommended by the treatment provider. You shall contribute to the cost of treatment according to your ability.

**Supporting Evidence:** Kevin Curtis violated his supervised release in Spokane, Washington, in October 2010 by failing to appear for psychiatric counseling. Collateral contact with Tom Stebbins, mental health provider, suggests that the offender is frustrated that his assigned psychiatrist refuses to prescribe tranquilizers at this time. Mr. Curtis has indicated he is refusing the medication currently prescribed by his psychiatrist, and states he will seek another physician with the intention of receiving a prescription for the medications he desires. The defendant now appears ambivalent toward mental health counseling given his inability to persuade the physician to prescribe medications that he would prefer.

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- 6      **Special Condition # 18:** You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.

**Supporting Evidence:** Kevin Curtis violated his supervised release in Spokane, Washington, on November 2, 2010, as he failed to appear for substance abuse counseling as directed.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 11/08/2010

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s/Tommy Rosser

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Tommy Rosser  
U.S. Probation Officer

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THE COURT ORDERS

- [ ] No Action  
[X] The Issuance of a Warrant  
[ ] The Issuance of a Summons  
[ ] Other

\_\_\_\_\_  


Signature of Judicial Officer

\_\_\_\_\_  
Nov 8 2010

Date